

1 Randal R. Leonard, Esq.  
2 Nevada Bar No. 006716  
3 500 South 8<sup>th</sup> Street  
4 Las Vegas, NV 89101  
5 (702) 598-3667  
6 Attorney for Debtor

7  
8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re: Case No.: BK-S-09-16112-MKN  
11 DOUGLAS A. CARLSON, Chapter 13  
12 Debtor. **MOTION TO AVOID LIEN**

13 Hearing Date: November 19, 2009  
14 Hearing Time: 2:30 p.m.

15 COMES NOW Debtor(s) DOUGLAS A. CARLSON, by and through counsel, Randal R.  
16 Leonard, Esq., and hereby moves that this Court enter an Order avoiding the lien in second  
17 position against that property commonly known as 1432 Desert Ridge Ave., North Las Vegas,  
18 NV 89031 in favor of CitiMortgage. This Motion is based upon the pleadings and papers in file  
19 herein and the Memorandum of Points and Authorities attached hereto.

20 Dated this 20th day of October 2009.

21 **Randal R. Leonard, Esq.**

22 Randal R. Leonard, Esq.  
23 Nevada Bar No. 006716  
24 509 South Seventh Street  
25 Las Vegas, NV 89101  
(702) 598-3667  
Attorney for Debtor

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I.**

**STATEMENT OF THE FACTS**

Debtor filed the instant matter on or about April 22, 2009. Kathleen Leavitt was duly appointed as the Trustee in this matter.

On or about February 16, 2007 Debtor purchased that certain real property commonly known as 1432 Desert Ridge Ave., North Las Vegas, NV 89031 for a total purchase price of \$260,000. A true and correct copy of the deed transferring said property to Debtor is attached as Exhibit A. In order to purchase the above property, Debtor signed a Note secured by a Deed of Trust in first position in favor of HBSC Bank USA, its successors or assigns (hereinafter "HBSC"). The total amount owing the 1<sup>st</sup> is \$207,876.52. Please see HBSC's Proof of Claims attached hereto as Exhibit B. Debtor also signed a Note secured by a Deed of Trust in second position in favor of CitiMortgage as well. The total amount owing the 2<sup>nd</sup> is approximately \$51,496.00. Please see CitiMortgage's most recent statement attached hereto as Exhibit C.

Debtor recently employed Vegas Valley Appraisers to appraise the subject property. The appraisal is attached as Exhibit D and was determined to be \$83,000.00. Therefore, because the Note in first position is owed approximately \$207,876.52 as according to the Proof of Claim attached as Exhibit B, the Note in second position held by CitiMortgage is wholly unsecured.

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## II.

### **CITIMORTGAGE DOES NOT HAVE A SECURED CLAIM REGARDING THEIR LOAN IN SECOND POSITION**

11 U.S.C. § 506(a) bifurcates a creditor's allowed secured claim into two parts: (1) secured to the extent of the value of the property to which the creditor's interest attached; and (2) unsecured to the extent the claim exceeds the value of the underlying property. Therefore, not all secured interests will be "secured claims" in bankruptcy cases. *In re Zimmer*, 313 F.3d 1220 (9<sup>th</sup> Cir. 2002). Additionally, the Zimmer case holds that if the value of the first lien secured by real property is more than the value of the property itself, then the second lien is wholly unsecured and may be stripped off. *Id.*

In this matter, HBSC holds the lien in first position against the Debtor's property commonly known as 1432 Desert Ridge Ave., North Las Vegas, NV 89031. The principal balance owing to HBSC is \$207,876.52. CitiMortgage also holds a lien in second position against the above property and the principal balance owing on the second lien is \$51,496.00. Since the appraisal of the subject property is \$83,000.00 and is less than the amount owed to the first lien in this case held in favor of HBSC, then the second lien in favor of CitiMortgage is wholly unsecured and can be "stripped off."

## III.

### **CITIMORTGAGE'S LIEN IN SECOND POSITION IS VOID**

11 U.S.C. § 506(d) states in relevant part as follows:

(d) To the extent that a lien secures a claim against the debtor that is not an allowed secured claim, such lien is void, unless-

(1) such claim was disallowed only under section 502(b)(5) or 502(e) of this title; or

(2) such claim is not an allowed secured claim due only to the failure of any entity to file a proof of such claim under section 501 of this title.

1 As a result of the fact that CitiMortgage's lien in second position is not an allowed  
2 secured claim under section 506(a), section 506(d) would therefore render the lien void.

3 IV.

4 **CITIMORTGAGE'S CONTRACT RIGHTS MAY BE MODIFIED**  
5 **THROUGH DEBTOR'S CHAPTER 13 PLAN**

6 11 U.S.C. § 1322(b)(2) allows a debtor to modify the rights of secured claim holders  
7 except those secured claim holders who have claims secured by the debtor's principal residence.  
8 Nevertheless, the Zimmer case cited above allows a debtor to modify the rights of those claims  
9 that are wholly unsecured even where the lien question is against the debtor's principal  
10 residence.

11 In conclusion, Debtor respectfully requests that the Court allow the Debtor to treat  
12 CitiMortgage's lien in second position as a wholly unsecured claim. Further, Debtor respectfully  
13 requests that the Court enter an Order that CitiMortgage's lien in second position have no further  
14 force or effect against that certain real property commonly known as 1432 Desert Ridge Ave.,  
15 North Las Vegas, NV 89031.


16 Dated this 20th day of October 2009.

17  
18  
19  
20 **Randal R. Leonard, Esq.**

21 Randal R. Leonard, Esq.  
22 Nevada Bar No. 006716  
23 509 South Seventh Street  
24 Las Vegas, NV 89101  
25 (702) 598-3667  
Attorney for Debtor

# **EXHIBIT A**

(3) -1


  
20070216-0000571

Fee: \$15.00 RPTT: \$1,326.00

N/C Fee: \$0.00

02/16/2007

09:09:12

T20070028700

Requestor:

NATIONAL TITLE COMPANY

Debbie Conway

STN

Clark County Recorder

Pgs: 3

A.P.N. #	124-28-318-002
Escrow No.	270286-DJ
R.P.P.T.	\$1,326.00
Recording Requested By:	
3	
Mail Tax Statements To:	Same as below
When Recorded Mail To:	
DOUGLAS A. CARLSON	
1432 DESERT RIDGE AVE.	
NORTH LAS VEGAS, NV 89031	

**GRANT, BARGAIN, SALE DEED**

THIS INDENTURE WITNESSETH: That DESERT CASITAS MANAGEMENT LLC

for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain  
Sell and Convey to ~~DOUGLAS CARLSON~~ A. CARLSON, A SINGLE MAN

all that real property situated in the County of Clark, State of Nevada, bounded and described as  
follows:

See Exhibit "A" attached hereto and by reference made a part hereof for complete legal description.

**SUBJECT TO:**

1. Taxes for fiscal year 2006-2007;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or  
in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: 11-20-06DESERT CASITAS MANAGEMENT  
LLCBY: GARY A. NELLISBY: ANNA MARIA D. NELLIS

State of Nevada

} ss.

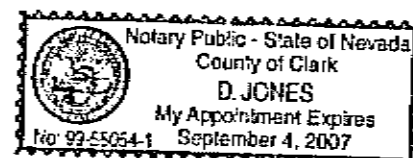
County of Clark

This instrument was acknowledged before me on

11/20/06GARY A. NELLIS & ANNA MARIA D. NELLIS

Signature:

Notary Public



**EXHIBIT "A"**

The land referred to herein situate in the State of Nevada, County of Clark, described as follows:

Lot Twenty-one (21) in Block Twenty-seven (27) of ELDORADO - RCL UNIT NO. 2, as shown by map thereof on file in Book 44 of Plats, Page 37, and as amended by Certificates of Amendment recorded January 11, 1990 in Book 900111 as Document No. 01100, recorded August 20, 1990 in Book 900820 as Document No. 00801, and recorded September 29, 1995, in Book 950929 as Document No. 02968, in the Office of the County Recorder of Clark County, Nevada

STATE OF NEVADA  
DECLARATION OF VALUE

## 1. Assessor Parcel Number(s)

- a) 124-28-318-002  
 b) 3  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

## FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument No. \_\_\_\_\_  
 Book \_\_\_\_\_ Page \_\_\_\_\_  
 Date of Recording: \_\_\_\_\_  
 Notes: \_\_\_\_\_

## 2. Type of Property

- a) ☐ Vacant Land      b) ☒ Single Family Residence  
 c) ☐ Condo/Twnhse      d) ☐ 2-4 Plex  
 e) ☐ Apartment Bldg.      f) ☐ Commercial/Industrial  
 g) ☐ Agricultural      h) ☐ Mobile Home  
 i) ☐ Other \_\_\_\_\_

## 3. Total Value/Sales Price of Property

\$260,000.00

Deed in Lieu of Foreclosure Only (Value of Property) ( \_\_\_\_\_ )

Transfer Tax Value \_\_\_\_\_

Real Property Transfer Tax Due: \$ 1,326.00

## 4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: \_\_\_\_\_  
 b. Explain Reason for Exemption: \_\_\_\_\_

## 5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature:

Desert Casitas Management LLC  
 DESERT CASITAS MANAGEMENT LLC

Capacity:

Grantor

Signature:

DOUGLAS CARLSON  
 DOUGLAS CARLSON

Capacity:

Grantee

## SELLER (GRANTOR) INFORMATION

## BUYER (GRANTEE) INFORMATION

Print Name: Desert Casitas Management LLCPrint Name: Douglas CarlsonAddress: PO Box 33953Address: 1432 Desert Ridge Ave.City/State/Zip Las Vegas, NV 89133City/State/Zip N. Las Vegas, NV 89031

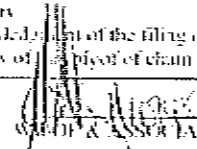
## COMPANY/PERSON REQUESTING RECORDING (required if not the Seller or Buyer)

Company Name: National Title CoEscrow No 270286-DJAddress: 7251 West Lake Mead Blvd. Ste 350City Las VegasState: NVZip 89128

571



# **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA		PROOF OF CLAIM 13
Name of Debtor Douglas A. Carlson	Case Number 09-16112-mkn	<i>(This space for court use)</i>
NOTE: This form should NOT be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. Section 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property)  HSBC Bank USA, as Trustee for MANA 2007-AFI	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name & address where notices and payments should be sent: America's Servicing Company, as servicer for One Home Campus, MAC# X2302-015 Des Moines, IA 50328	Account or other number by which creditor identifies debtor: 1351001019 / 409-72667	
Check here if this claim: <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated _____		
<b>1. BASIS FOR CLAIM</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input checked="" type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ <input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (11 U.S.C. § 541(c)(2)) Year Social Security #: _____ I repaid compensation for services performed from _____ (date) to _____ (date)		
<b>2. Date debt was incurred:</b> February 13, 2007 <b>3. If court judgment, date obtained:</b> _____		
<b>4. Total amount of claim at time case filed: \$207,876.52</b> If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach an itemized statement of all interest or additional charges.		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>5. Secured Claim.</b>  <input checked="" type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff).             Brief description of collateral:  <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____             Amount of arrearages, and other charges at time case filed included in secured claim, if any:   <b>\$29,668.71*</b>            * Arrearages, as set forth in Schedule "A" attached. Plus accruing interest, late charges.         </div> <div style="width: 45%;"> <b>6. Unsecured Priority Claim.</b>  <input type="checkbox"/> Check this box if you have an unsecured priority claim.            Amount entitled to priority: \$ _____            Specify the payment of the claim:  <input type="checkbox"/> Wages, salaries, or commissions up to \$4,650* earned within 90 days before filing of the bankruptcy petition, or cessation of the debtor's business, whichever is earlier. 11 U.S.C. § 507(a)(3)  <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(4)  <input type="checkbox"/> Up to \$2,100* of deposits toward purchase, lease or rental of property, or services for personal, family or household use. 11 U.S.C. § 507(a)(6)  <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child. 11 U.S.C. § 507(a)(7)  <input type="checkbox"/> Taxes or penalties owed to governmental unit. 11 U.S.C. § 507(a)(8)  <input type="checkbox"/> OTHER-Specify applicable paragraph of 11 U.S.C. § 507(a)(9) _____            * Amounts are subject to adjustment on 10/95 and every three years thereafter with respect to cases commenced on or after the date of adjustment.         </div> </div>		
<b>7. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. <b>8. Supporting documents:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. <b>9. Date-Stamped copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and a copy of this proof of claim.		<i>(This space for court use)</i>
<b>Date:</b> April 30, 2009 <div style="text-align: center;">               DAVID A. CARLSON, counsel for creditor           </div>		
<i>Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 &amp; 1571</i>		

# EXHIBIT C

FROM : Check City NS00

FAX NO. : 7028766659

Oct. 18 2009 01:51PM P2

**Authorization Agreement**

Your enrollment in E-Z Pay will be confirmed in writing at least 10 days prior to your first debit.

1. Check Over: ☐ Please debit my Checking Account (Attach a voided check)☐ Please debit my Savings Account (Attach a deposit slip)

Financial Institution Account # to be debited: \_\_\_\_\_

2.

Financial Institution: \_\_\_\_\_

Financial Institution Address: \_\_\_\_\_

Signature of Financial Institution Account Holder: \_\_\_\_\_

Date: \_\_\_\_\_

Please complete/sign this form and return it along with a voided check or deposit slip to: CitiMortgage, Inc., PO Box 6279, Sioux Falls, SD 57117. By signing where you are authorizing CitiMortgage, Inc. to automatically debit your account, you agree to pay the amount of your total monthly mortgage payment. You understand that the debit amount may vary due to changes in your monthly payment (e.g., taxes, escrow charges, prepayment of mortgage). CitiMortgage will provide you with written notice at least 10 days prior to any change in the debit amount. CitiMortgage is authorized to debit your account until they receive a written notice, signed by you, 4 days prior to the next debit date. CitiMortgage can cancel this agreement at its option or if 2 or more back payments are received in 6 months. The monthly automatic debit will continue if your account with your existing CitiMortgage loan is underwritten unless you notify us to discontinue the service.

3. Mortgage Account #: \_\_\_\_\_

4. You may choose to have your payment deducted on your due date or up to 15 days after the payment due date.

No Fee Credit: Due Date Every 2day 3day 4day 5day 6day 7day 8day 9day

\$3.00 Monthly Fee Credit: 10day 11day 12day 13day 14day 15day

Additional Principal Per Month (Optional): \$ \_\_\_\_\_

Additional Escrow per Month (Optional): \$ \_\_\_\_\_

**Important Information to Help Us Serve You Better****Phone Numbers**

\*Calls are randomly monitored and recorded to ensure quality service.

**Customer Service**

1-800-283-7916\*

Monday - Friday

8:00 a.m. - 12:00 Midnight ET

Saturday

9:00 a.m. - 6:00 p.m. ET

**Collections**

1-800-723-7906

Monday - Thursday

8:00 a.m. - 11:00 p.m. ET

Friday

8:00 a.m. - 7:00 p.m. ET

Saturday

8:00 a.m. - 1:00 p.m. ET

**Addresses**

Please be sure to write your account number on your correspondence.

**Regular Payments**

CitiMortgage, Inc.

PO Box 6006

The Lakes, NV 89701

**Air Express Payments**

CitiMortgage, Inc.

Attn: Payments Mail Opening

8725 West Sahara Ave.

Las Vegas, NV 89117

**Insurance Claim Center**

CitiMortgage, Inc.

PO Box 8855

Springfield, OH 45501-0855

**Property Insurance Correspondence**

CitiMortgage, Inc.

PO Box 7706

Springfield, OH 45501

**Tax Bills**

CitiMortgage, Inc.

PO Box 25689

Rochester, NY 14692

**Assumption Inquiries**

CitiMortgage, Inc.

Mail Stop 0305

100 Galleria Office Centre, Suite 300

Southfield, MI 48034-8409

**Account Inquiries /****Credit Bureau Disputes**

CitiMortgage, Inc.

PO Box 9438

Cathetersburg, MD 20690-9438

**Air Express Correspondence**

CitiMortgage, Inc.

5280 Corporate Drive MC 0251

Frederick, MD 21703

**Website**Visit [www.citimortgage.com](http://www.citimortgage.com) today!

View and pay your mortgage online. Sign up for free eAlerts to make managing your mortgage easy.

**Customer Service**

By calling 1-800-283-7916, you may access automated account information, make requests for documents, and initiate transactions by using your Mortgage Account Number. This automated system allows you greater convenience by being available during and outside normal business hours. In addition, Customer Service Representatives are available Monday through Friday between the hours of 8:00 a.m. and 12:00 Midnight ET and Saturday between the hours of 9:00 a.m. and 6:00 p.m. ET.

For Residential Customers Only: PURSUANT TO § 6 OF RESPA, A "QUALIFIED WRITTEN REQUEST" REGARDING THE SERVICES OF YOUR LOAN MUST BE SENT TO THIS ADDRESS: CITIMORTGAGE, INC., ATTN: CUSTOMER SERVICE TEAM, PO BOX 9442, BAITHERSBURG, MD 20690-9442. A "qualified written request" is written correspondence, other than notice of a payment exception or statement, which includes your name, account number and the reason(s) for the request.

**Mortgage Options**

1-800-MORTGAGE (667-8424)

Call 1-800-MORTGAGE today for all your refinancing or new home loan needs, or visit [www.citimortgage.com](http://www.citimortgage.com) for more information regarding CitiMortgage products. We're here to help you find the best mortgage solution!

**Payment Information**

**Online Payments:** You can make payments online or sign up for these payment programs by visiting [www.citimortgage.com](http://www.citimortgage.com).

**E-Z Pay:** Your mortgage payments can be withdrawn automatically from your bank.

**Phone Payments:** Call 1-800-283-7916 to authorize immediate payment using funds directly from your checking account for a nominal fee. For greater convenience, phone payments can be made through our automated system by pressing option 2 after entering your Mortgage Account Number. Simply follow the prompts to complete your payment.

**The Bi-Weekly Advantage™ Plan:** You could pay your mortgage off sooner and save thousands of dollars in interest through periodic drafting. Call 1-866-422-5002\* for more information. An enrollment fee will apply. A nominal transaction fee will apply with each draft. Please refer to the Terms and Conditions on our website, [www.citimortgage.com/biweeklyadvantage](http://www.citimortgage.com/biweeklyadvantage).

When you provide a check, you authorize us to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. If we use your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

**Address & Phone Number Changes**

A change of address or phone number requires a 30-day notice. Please print:

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

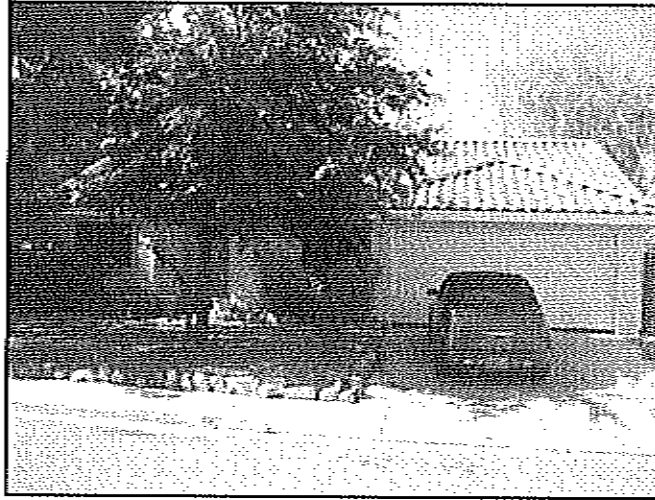
E-mail Address \_\_\_\_\_

Fax Number \_\_\_\_\_



**EXHIBIT D**

BoTSME	n/a	File No.	908-07
Property Address	1432 Desert Ridge Ave		
City	North Las Vegas	County	Clark
State	NV	Zip Code	89031-5003
Client	Douglas Carlson		



08/18/2009

1432 Desert Ridge Ave  
 Eldorado-RCL Unit #2 Plat Book 44 Page 37 Lot 21 Block 27  
 North Las Vegas, NV 89031-5003

N/A  
 1432 Desert Ridge Avenue  
 North Las Vegas, NV 89031

GP Residential .....	1
GP Residential Certifications Addendum .....	4
Market Conditions Addendum to the Appraisal Report .....	6
market area trend .....	7
Subject Photos .....	8
Photograph Addendum .....	9
Comparable Photos 1-3 .....	10
Location Map .....	11
Plot Map .....	12
Invoice .....	13



Shawn Kinney

File No. 908-07 Page #1

## RESIDENTIAL APPRAISAL SUMMARY REPORT

File No. 908-07

SUBJECT	Property Address: 1432 Desert Ridge Ave		City: North Las Vegas		State: NV Zip Code: 89031-5003	
	County: Clark		Legal Description: Eldorado-RCL Unit #2 Plat Block 44 Page 37 Lot 21 Block 27		Assessor's Parcel #: 124-28-315-002	
ASSIGNMENT	Tax Year: 2009 R.E. Taxes: \$ 1,873.46 Special Assessments: \$ 0		Borrower (if applicable): n/a		Assessor's Parcel #: 124-28-315-002	
	Current Owner of Record: Carlson		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant <input type="checkbox"/> Manufactured Housing		Property Type: <input type="checkbox"/> FUD <input type="checkbox"/> Condominium <input type="checkbox"/> Cooperative <input checked="" type="checkbox"/> Other (describe) H.O.A.	
MARKET AREA DESCRIPTION	Market Area Name: Eldorado-RCL		Map Reference: 24-E4		Census Tract: 0036.06	
	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined) or <input type="checkbox"/> Other type of value (describe)		This report reflects the following value (if not current, see comments): <input checked="" type="checkbox"/> Current (the inspection date is the effective date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective		Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)	
SITE DESCRIPTION	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)		Intended Use: Market Value for the use in Bankruptcy Court.			
	Intended User(s) (by name or type): Douglas Carlson, Randal R. Lenard Attorney At Law.		Client: Douglas Carlson		Address: 1432 Desert Ridge Avenue, North Las Vegas, NV 89031	
MARKET AREA DESCRIPTION	Appraiser: Shawn Kinney		Address: 5604 Distant Drum, North Las Vegas, NV 89051			
	Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural		Predominant Occupancy: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (>5%)		One-Unit Housing PRICE AGE One-Unit 60% 2-4 Unit 5% 5+ Unit 5% * To: *	
MARKET AREA DESCRIPTION	Built up: <input type="checkbox"/> Over 75% <input type="checkbox"/> Under 25%		Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		Property values: <input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Declining	
	Demand/supply: <input type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply		Marketing time: <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.			
MARKET AREA DESCRIPTION	Market Area Boundaries (describe), and Market Conditions (including support for the above characteristics and trends): Market Area boundaries are Deer Springs Way on the North, Washburn Road on the South, N 5th Street on the East, and Simmons Street on the West.					
	The subject's market area declined approx. 65% from 08/2008-07/2009 based on a value trend of comparable properties. New construction activity has slowed as REO properties increased in the market. Unemployment rate for Las Vegas May of 09 was 11.1%, job growth is down 8.5%. U.S. average unemployment rate as of May of 09 was 9.4%, job growth was down 4.1%.					
MARKET AREA DESCRIPTION	See Market Conditions Addendum for detailed description.					
MARKET AREA DESCRIPTION	Dimensions: 60 X 90 per assessor		Site Area: 0.12 acres +/-		Description: Open Land/Development Agreement (O-L/D/A)	
	Zoning Classification: O-L/D/A		Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning		Are CC&Rs applicable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown Have the documents been reviewed? Yes <input checked="" type="checkbox"/> No Ground Rent (if applicable) \$	
MARKET AREA DESCRIPTION	Highest & Best Use as appraised: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)		Actual Use as of Effective Date: single family residential		Use as appraised in this report: single family residential	
	Summary of Highest & Best Use: N/A. The subject is being Appraised AS-IS in it's current use.					
MARKET AREA DESCRIPTION	Utilities: Public Other Provider/Description		Off-site Improvements Type		Public Private Topography flat	
	Electricity <input checked="" type="checkbox"/> typical for area		Street asphalt		Size 12 +/- Acre	
MARKET AREA DESCRIPTION	Gas <input checked="" type="checkbox"/> typical for area		Drain/Gutter concrete		Shape interior rectangular	
	Water <input checked="" type="checkbox"/> typical for area		Sidewalk concrete		Drainage appears adequate	
MARKET AREA DESCRIPTION	Sanitary Sewer <input checked="" type="checkbox"/> typical for area		Street Lights mercury vapor		View neighborhood	
	Storm Sewer <input checked="" type="checkbox"/> typical for area		Alley n/a			
MARKET AREA DESCRIPTION	Other site elements: <input checked="" type="checkbox"/> Inside Lot <input type="checkbox"/> Corner Lot <input type="checkbox"/> Cul-de-Sac <input checked="" type="checkbox"/> Underground Utilities <input checked="" type="checkbox"/> Other (describe) overhead power lines		FEMA Special Flood Hazard Area Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X		FEMA Map # 32003C1765E FEMA Map Date: 9/27/2002	
	Site Comments: Typical site improvements for the area.					
MARKET AREA DESCRIPTION	General Description		Exterior Description		Foundation	
	# of Units 1 <input type="checkbox"/> Acc. Unit		Foundation concrete slab		Basement <input checked="" type="checkbox"/> None	
MARKET AREA DESCRIPTION	# of Stories 1		Exterior Walls frame stucco		Area Sq. Ft. n/a	
	Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att.		Roof Surface concrete tile		% Finished n/a	
MARKET AREA DESCRIPTION	Design (Style): traditional, 1 story		Gutters & Downspouts metal		Ceiling	
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Lind Core		Window Type aluminum slider		Walls	
MARKET AREA DESCRIPTION	Actual Age (Yrs.): 19		Siding Screens woven mesh		Floor	
	Effective Age (Yrs.): 7				Outside Entry	
MARKET AREA DESCRIPTION	Interior Description		Appliances		Amenities	
	Floors tile-carpet/average		Refrigerator <input checked="" type="checkbox"/> Stairs <input type="checkbox"/> None		Frap(s) # 1 Woodstove(s) #	
MARKET AREA DESCRIPTION	Walls drywall/average		Range/Oven <input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Patio covered		Car Storage <input type="checkbox"/> None	
	Trim/Floor wood/paint/average		Disposal <input checked="" type="checkbox"/> Suttle <input checked="" type="checkbox"/> Deck n/a		Garage # of cars ( 2 Tot.)	
MARKET AREA DESCRIPTION	Bath Floor tile/average		Dishwasher <input checked="" type="checkbox"/> Doorway <input type="checkbox"/> Porch covered		Attach 2 cars	
	Bath Wainscot floor/glass/average		Fan/Hood <input checked="" type="checkbox"/> Floor <input type="checkbox"/> Fence concrete block		Exterior	
MARKET AREA DESCRIPTION	Doors hollow core/average		Microwave <input checked="" type="checkbox"/> Heated <input type="checkbox"/> Feet n/a		BT-4r	
			Washer/Dryer <input checked="" type="checkbox"/> Finshed <input type="checkbox"/>		Carport	
MARKET AREA DESCRIPTION	Finish area above grade contains: 5 Rooms 3 Bathrooms 2 Bath(s) 1,363 Square Feet of Gross Living Area Above Grade				Driveway x 2-cars	
	Additional features: tile flooring, tile face fireplace, tile kitchen counters, and a finished garage with an automatic door opener.				Surface concrete	
MARKET AREA DESCRIPTION	Describe the condition of the property (including physical, functional and external obsolescence): The improvements are noted to be in average condition with no physical, functional or external inadequacies noted. The subject's effective age is based on the current condition of the house as of the inspection date. The subject's roof appears to be in average condition, with no visible damage from the street. Utilities were on.					




## File No. 958-07

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## RESIDENTIAL APPRAISAL SUMMARY REPORT

File No.: 903-07

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.		Provide adequate information for recalculation of the following cost figures and calculations:	
	Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value): <u>N/A</u>			
INCOME APPROACH	ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW		OPINION OF SITE VALUE	
	Source of cost data:		DWELLING	
	Quality rating from cost service:		Sq Ft @ \$	
	Effective date of cost data:		Sq Ft @ \$	
	Comments on Cost Approach (gross living area calculations, depreciation, etc.):		Sq Ft @ \$	
			Sq Ft @ \$	
			Sq Ft @ \$	
			Sq Ft @ \$	
			Sq Ft @ \$	
			Sq Ft @ \$	
PUD	Estimated Remaining Economic Life (if required):		Years	
	INDICATED VALUE BY COST APPROACH		= \$	
RECONCILIATION	PROJECT INFORMATION FOR PUDs (if applicable) <input type="checkbox"/> The Subject is part of a Planned Unit Development.			
	Legal Name of Project:			
	Describe common elements and recreational facilities:			
ATTACHMENTS	Indicated Value by Sales Comparison Approach \$ 83,000		Cost Approach (if developed) \$ n/a	
	Income Approach (if developed) \$ n/a			
	Final Reconciliation: The Sales Comparison approach is the most accurate form of appraisal technique in developing market value for SFR properties thus was the only one developed. The cost approach has been deemed not applicable thus was not developed. Income approach is deemed not applicable thus was not developed. This is a non FRT (Federally related transaction) transaction.			
SIGNATURES	This appraisal is made <input checked="" type="checkbox"/> "as is" <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair:			
	<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.			
	Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 83,000, as of: 08/18/2009, which is the effective date of this appraisal.			
	If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.			
	A true and complete copy of this report contains 19 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.			
	Attached Exhibits:			
	<input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> 1 Photograph Addenda <input checked="" type="checkbox"/> Certification pages <input checked="" type="checkbox"/> Map Addenda <input type="checkbox"/> Addenda Sales <input type="checkbox"/> Cost Addendum <input type="checkbox"/> Flood Addendum <input checked="" type="checkbox"/> Table of contents <input checked="" type="checkbox"/> Hypothetical Conditions <input checked="" type="checkbox"/> Extraordinary Assumptions <input checked="" type="checkbox"/> 1 Trend Chart <input type="checkbox"/> Check <input checked="" type="checkbox"/> Market condition form			
	Client Contact: Douglas Carlson		Client Name: Douglas Carlson	
	E-Mail: fivestarinterior@yahoo.com		Address: 1432 Desert Ridge Avenue, North Las Vegas, NJ 89031	
APPRAISER		SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)		
 Appraiser Name: Shawn Kinsey Company: Vegas Valley Appraisers Phone: (702) 951-7573 Fax: (702) 951-5579 E-Mail: shawn@vegasvalleyappraisers.com Date of Report (Signature): August 28, 2009 License or Certification #: A.0007562-CR State: NV Designation: n/a Expiration Date of License or Certification: 10/31/2009 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 08/18/2009		Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date of Report (Signature): _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: _____		

**Assumptions, Limiting Conditions & Scope of Work**

File No: 903-07

Property Address: 1432 Desert Ridge Ave	City: North Las Vegas	State: NV	Zip Code: 89031-5003
Client: Douglas Carlson	Address: 1432 Desert Ridge Avenue, North Las Vegas, NV 89031		
Appraiser: Shawn Kinney	Address: 5604 Distant Drum, North Las Vegas, NV 89081		

**STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS**

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- The appraiser may have provided a sketch in the appraisal report to show approximate dimensions of the improvements, and any such sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. Unless otherwise indicated, a Land Survey was not performed.
- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- If the cost approach is included in this appraisal, the appraiser has estimated the value of the land in the cost approach at its highest and best use, and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used. Unless otherwise specifically indicated, the cost approach value is not an insurance value, and should not be used as such.
- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
- If this appraisal is indicated as subject to satisfactory completion, repairs, or alterations, the appraiser has based his or her appraisal report and valuation conclusion on the assumption that completion of the improvements will be performed in a workmanlike manner.
- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.
- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database.
- An appraisal of real property is not a "home inspection" and should not be construed as such. As part of the valuation process, the appraiser performs a non-invasive visual inventory that is not intended to reveal defects or detrimental conditions that are not readily apparent. The presence of such conditions or defects could adversely affect the appraiser's opinion of value. Clients with concerns about such potential negative factors are encouraged to engage the appropriate type of expert to investigate.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

**Certifications**

File No.: 906-07

Property Address: 1432 Desert Ridge Ave	City: North Las Vegas	State: NV	Zip Code: 89031-5003
Client: Douglas Carlson	Address: 1432 Desert Ridge Avenue, North Las Vegas, NV 89031		
Appraiser: Shawn Kinney	Address: 5604 Distant Drum, North Las Vegas, NV 89081		

**APPRAISER'S CERTIFICATION**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

**Additional Certifications:****DEFINITION OF MARKET VALUE \***

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

\* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact: Douglas Carlson

Client Name: Douglas Carlson

E-Mail: tyvestarinterior@yahoo.com

Address: 1432 Desert Ridge Avenue, North Las Vegas, NV 89031

**APPRAISER****SUPERVISORY APPRAISER (if required)  
or CO-APPRAISER (if applicable)**

Appraiser: Shawn Kinney

Supervisory or  
Co-Appraiser Name:

Company: Vegas Valley Appraisers

Company:

Phone: (702) 951-7573

Fax: (702) 951-5579

Phone:

Fax:

E-Mail: shawn@vegasvalleyappraisers.com

E-Mail:

Date Report Signed: August 28, 2009

Date Report Signed:

License or Certification #: A0007562-CR

State: NV

License or Certification #:

State:

Designation: n/a

Designation:

Expiration Date of License or Certification: 10/31/2009

Expiration Date of License or Certification:

Inspection of Subject: ☒ Interior & Exterior ☐ Exterior Only ☐ NoneInspection of Subject: ☐ Interior & Exterior ☐ Exterior Only ☐ None

Date of Inspection: 08/19/2009

Date of Inspection:





## Market Conditions Addendum to the Appraisal Report

File No. 902-07

The purpose of this addendum is to provide the lender with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address: 1432 Desert Ridge Ave City: North Las Vegas State: NV ZIP Code: 89031-5003

Broker: n/a

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions and must provide support for these conclusions regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below. If it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compare to the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must exclude any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

Inventory Analysis	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)	32	21	25	<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Declining
Absorption Rate (Total Sales/Month)	5.33	7.00	8.67	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Total # of Comparable Active Listings	134	21	26	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Increasing
Months of Housing Supply (Total Listings/Abs Rate)	25.1	3.0	3.0	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Increasing
Median Sale & List Price, DOM, Sale/List %	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Median Comparable Sale Price	125,000	95,000	86,000	<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Declining
Median Comparable Sales Days on Market	131	182	205	<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Increasing
Median Comparable List Price	119,900	85,900	79,000	<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Declining
Median Comparable Listings Days on Market	181	103	59	<input checked="" type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input checked="" type="checkbox"/> Increasing
Median Sale Price as % of List Price	104	111	109	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining

Seller-developer, builder, or paid financial assistance prevalent? ☒ Yes ☐ No

Explain in detail the seller concessions trends for the past 12 months (e.g., seller concessions increased from 2% to 5%, increasing use of buydowns, closing costs, concessions, etc.). Seller concessions in the current market were ranging from 0-5% with a mean of 3%. Concessions prior 7-12 months mean of 3%, 4-6 months mean of 3%, current-3 months mean of 2%.

Are foreclosure sales (REO sales) a factor in the market? ☒ Yes ☐ No If yes, explain the trends in listings and sales of foreclosed properties.

Out of 79 comparable sales, 90% were listed as bank owned/short sales and Out of 31 comparable listings, 97% were listed as bank owned/short sales. Currently 31 comparable homes listed for sale, 17 are in contract and 17 are listed as vacant in the subject's market area. A majority of the pending sales are currently bank owned/short sales. Out of the 17 pending comparable sales 17 were listed as bank owned/short sale properties. The median list price for the pending/contingent sales is \$79,900 with a median of 89 DOM.

Cite data sources for above information. M.L.S./Clark County Assessor

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.

The subject's market area declined in the time period from 08/2008-08/2009 approx. 37% based on contract dates of comparable properties.


New construction activity has slowed as REO properties increased in the market. Neighborhood section is not on the form, it is the Market area section.

If the subject is a unit in a condominium or cooperative project, complete the following:

Subject Project Data	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Total # of Comparable Sales (Settled)				<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Absorption Rate (Total Sales/Month)				<input type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining
Total # of Active Comparable Listings				<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing
Months of Unit Supply (Total Listings/Abs Rate)				<input type="checkbox"/> Declining	<input type="checkbox"/> Stable	<input type="checkbox"/> Increasing

Are foreclosure sales (REO sales) a factor in the project? ☐ Yes ☐ No If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.

Summarize the above trends and address the impact on the subject unit and project.

Signature:  Signature: \_\_\_\_\_

Appraiser Name: Shawn Kinney Secondary Appraiser Name: \_\_\_\_\_

Company Name: Vegas Valley Appraisers Company Name: \_\_\_\_\_

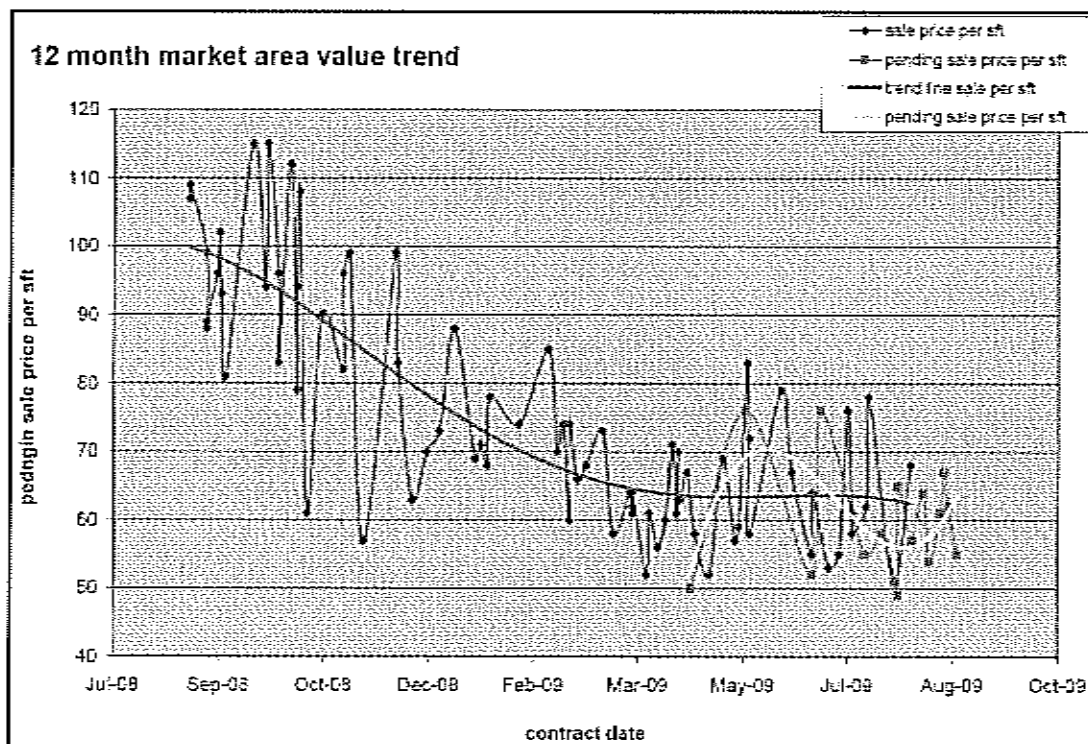
Company Address: 5604 Distant Drum, North Las Vegas, NV 89081 Company Address: \_\_\_\_\_

State License/Certification #: A0007562-CR State: NV State License/Certification #: \_\_\_\_\_ State: \_\_\_\_\_

Email Address: shawn@vegasvalleyappraisers.com Email Address: \_\_\_\_\_

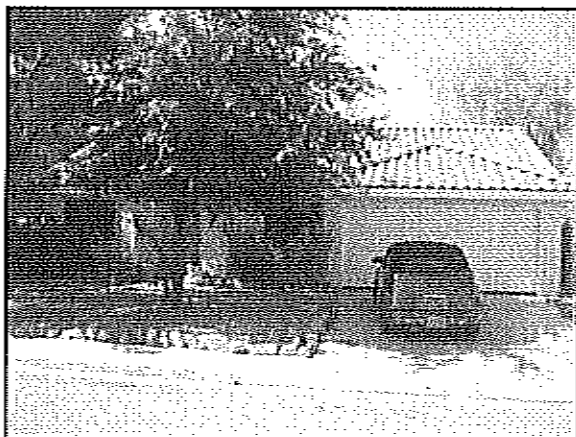
**12 Month Market Area Value Trend(Comparable Properties)**

Broker	N/A				
Property Address	1432 Desert Ridge Ave				
City	North Las Vegas	County	C Clark	State	NV Zip Code 89031-5003
Client	Douglas Carson				

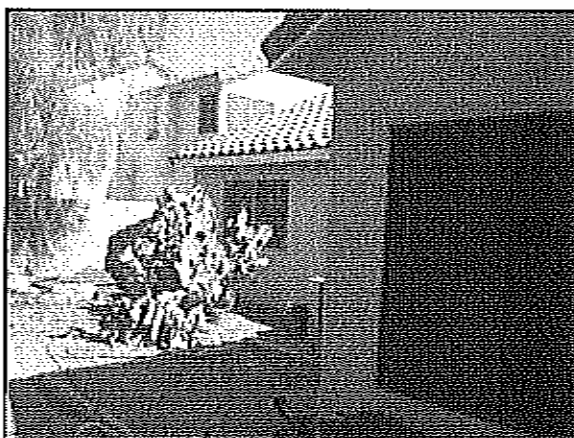
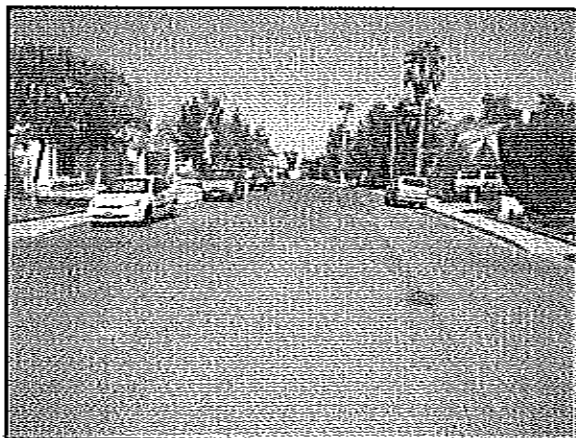


**Subject Photo Page**

Broker	n/a				
Property Address	1432 Desert Ridge Ave				
City	North Las Vegas	County	Clark	State	NV
Zip Code	89031-5003				
Client	Douglas Carson				

**Subject Front**

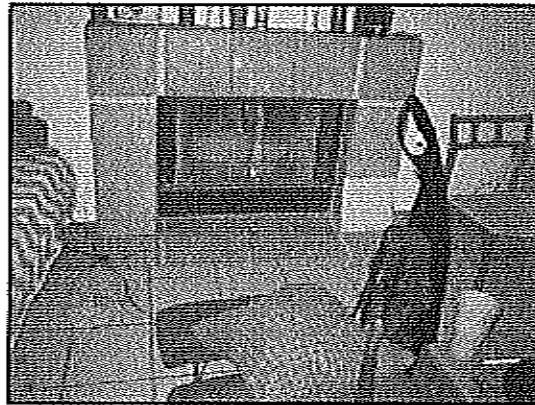
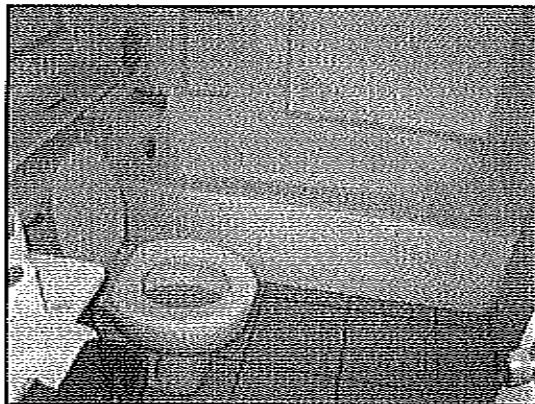
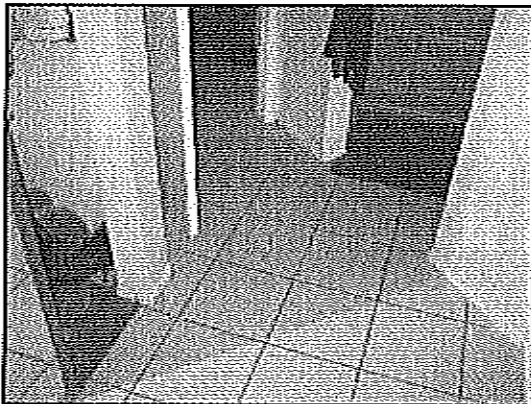
1432 Desert Ridge Ave  
 Sales Price  
 Gross Living Area 1,363  
 Total Rooms 5  
 Total Bedrooms 3  
 Total Bathrooms 2  
 Location average  
 View neighborhood  
 Size 0.12 acres +/-  
 Quality average  
 Age 19

**Subject Rear****Subject Street**



**Photograph Addendum**

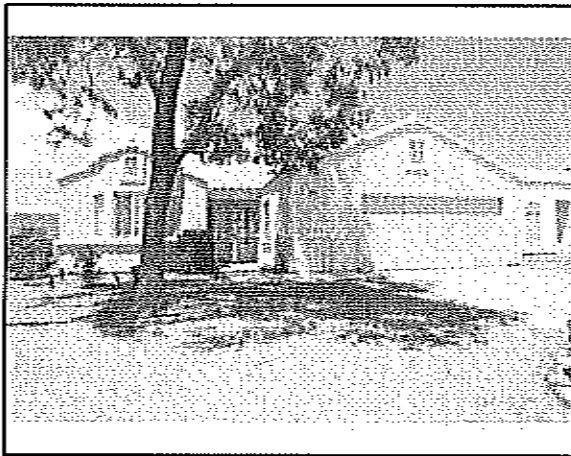
Estimate	n/a				
Property Address	1432 Desert Ridge Ave				
City	North Las Vegas	County	Clark	State	NV Zip Code: 89031-5003
Clerk	Douglas Carson				

**bedroom****family room****kitchen****bathroom****Bathroom****n/a**

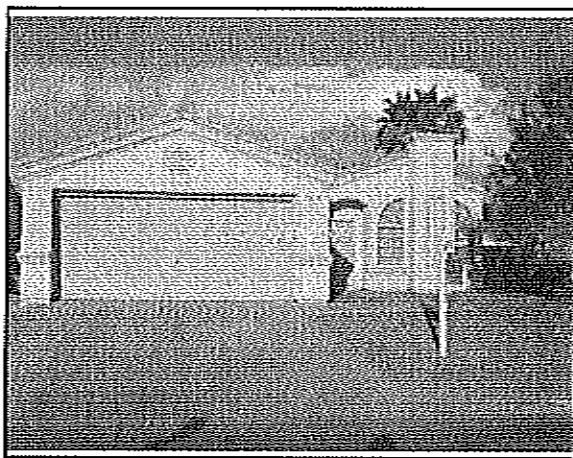


**Comparable Photos #1-3**

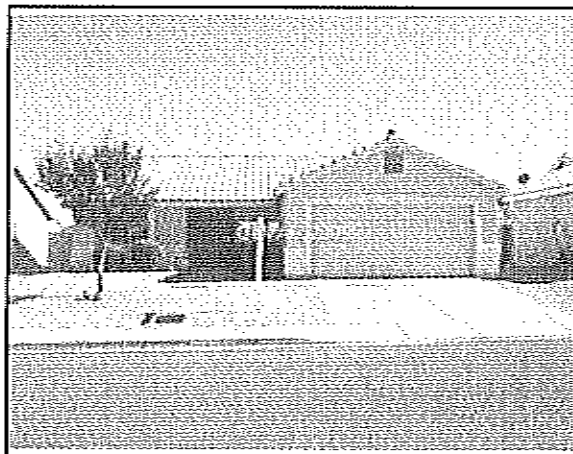
ECOWS	n/a						
Property Address	1432 Desert Ridge Ave						
City	North Las Vegas	County	Clark	State	NV	Zip Code	89031-5063
Client	Douglas Carlson						

**Comparable 1**

1932 Tiger Circle  
 Prox. to Subject 0.96 miles SW  
 Sales Price \$5,000  
 Gross Living Area 1,379  
 Total Rooms 5  
 Total Bedrooms 3  
 Total Bathrooms 2  
 Location average  
 View neighborhood  
 Site 0.17 acres +/-  
 Quality average  
 Age 10

**Comparable 2**

5230 Olive Dale Court  
 Prox. to Subject 1.25 miles SE  
 Sales Price \$9,900  
 Gross Living Area 1,276  
 Total Rooms 5  
 Total Bedrooms 3  
 Total Bathrooms 2  
 Location average  
 View neighborhood  
 Site 0.14 acres +/-  
 Quality average  
 Age 12

**Comparable 3**

109 Beaver Ridge Avenue  
 Prox. to Subject 1.35 miles SE  
 Sales Price \$6,000  
 Gross Living Area 1,374  
 Total Rooms 5  
 Total Bedrooms 3  
 Total Bathrooms 2  
 Location average  
 View neighborhood  
 Site 0.14 acres +/-  
 Quality average  
 Age 12





Steven Krey

File No. 908-07 Page #13

<b>FROM:</b>  Vegas Valley Appraisers 5604 Distant Drum Road North Las Vegas, NV 89081  Telephone Number: 702-951-7573      Fax Number: 702-951-5579		<h2 style="margin: 0;">INVOICE</h2>																									
<b>TO:</b>  Douglas Carson Douglas Carson 1432 Desert Ridge Avenue North Las Vegas, NV 89031  Telephone Number:      Fax Number: Alternate Number:      E-Mail:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="2" style="text-align: center;"><b>INVOICE NUMBER</b></td></tr> <tr><td colspan="2" style="text-align: center;">908-07</td></tr> <tr><td colspan="2" style="text-align: center;"><b>DATE</b></td></tr> <tr><td colspan="2" style="text-align: center;">08/19/2009</td></tr> <tr><td colspan="2" style="text-align: center;"><b>REFERENCE</b></td></tr> <tr><td>Internal Order #:</td><td>908-07</td></tr> <tr><td>Lender Case #:</td><td></td></tr> <tr><td>Client File #:</td><td></td></tr> <tr><td>Main File # on form:</td><td>908-07</td></tr> <tr><td>Other File # on form:</td><td></td></tr> <tr><td>Federal Tax ID:</td><td></td></tr> <tr><td>Employer ID:</td><td></td></tr> </table>		<b>INVOICE NUMBER</b>		908-07		<b>DATE</b>		08/19/2009		<b>REFERENCE</b>		Internal Order #:	908-07	Lender Case #:		Client File #:		Main File # on form:	908-07	Other File # on form:		Federal Tax ID:		Employer ID:	
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Other File # on form:																											
Federal Tax ID:																											
Employer ID:																											
<b>DESCRIPTION</b>																											
Lender: N/A      Client: Douglas Carson Purchaser/Borrower: n/a Property Address: 1432 Desert Ridge Ave City: North Las Vegas County: Clark      State: NV      Zip: 89031-5003 Legal Description: Eldorado-RCL Unit #2 Plat Book 44 Page 37 Lot 21 Block 27																											
<b>FEES</b>		<b>AMOUNT</b>																									
GP form		250.00																									
<b>SUBTOTAL</b>		250.00																									
<b>PAYMENTS</b>		<b>AMOUNT</b>																									
Check #: m.o.	Date: 08/19/2009	Description: paid in full	250.00																								
Check #:	Date:	Description:																									
Check #:	Date:	Description:																									
<b>SUBTOTAL</b>			250.00																								
<b>TOTAL DUE</b>			\$ 0																								

Please Return This Portion With Your Payment

<b>FROM:</b>  Douglas Carson Douglas Carson 1432 Desert Ridge Avenue North Las Vegas, NV 89031  Telephone Number:      Fax Number: Alternate Number:      E-Mail:	
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<b>TO:</b>  Vegas Valley Appraisers 5604 Distant Drum Road North Las Vegas, NV 89081
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AMOUNT DUE: \$ \_\_\_\_\_

AMOUNT ENCLOSED: \$ \_\_\_\_\_

<b>INVOICE NUMBER</b>	
908-07	
<b>DATE</b>	
08/19/2009	
<b>REFERENCE</b>	
Internal Order #:	908-07
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